

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

PETER J. MCDANIELS,

Plaintiff,

v.

BELINDA STEWART, et al.,

Defendants.

CASE NO. 3:15-CV-05943-BHS-DWC

ORDER DENYING MOTION TO FILE  
OVERLENGTH MOTION

The District Court has referred this action, filed pursuant to 42 U.S.C. § 1983, to United States Magistrate Judge David W. Christel. This matter comes before the Court on Plaintiff's "Motion to File Overlength (sic) Local Rule CR7(f)" ("Motion"), wherein Plaintiff seeks permission to file a 64 page motion for injunctive relief. Dkt. 118.<sup>1</sup>

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<sup>1</sup> Also pending before the undersigned are: (1) Plaintiff's Motion to File Overlength Motion (Response), which was ready for the Court's consideration on November 8, 2016; (2) Defendants' Motions for Summary Judgment and Motion to Stay Discovery and Plaintiff's Motion for Extension of Time, which are ready for the Court's consideration on November 18, 2016; and (3) Plaintiff's Motion for Appointment of Counsel and 2nd Motion for Preliminary Injunction, which are ready for the Court's consideration on November 25, 2016. *See* Dkt. 111, 117, 119, 122, 124, 127. Pending before District Judge Benjamin H. Settle is Plaintiff's Motion to Correct Scribner's Error. Dkt. 119.

1 Under Local Rules 7(e)(3) and 65(b)(2), a temporary restraining order or motion for  
2 preliminary injunction “must not exceed twenty-four pages in length.” *See* Local Rule 65(b)(2).  
3 Plaintiff requests permission to file a 64 page motion for injunctive relief, which is 40 pages  
4 longer than allowed under the Local Rules. *See* Dkt. 118, 122. Plaintiff also attached 305 pages  
5 of exhibits to his 2<sup>nd</sup> Preliminary Injunction Motion. *See* Dkt. 122-1, 122-2. Plaintiff states he  
6 needs additional pages because he: is not trained in legal writing, does not know what the Court  
7 needs, cannot edit his work, has a tendency to provide extra case law, and is under a great  
8 amount of duress and just frantically writing. Dkt. 118. He also states he was allowed extra pages  
9 in college and his circumstances warrant leniency. *Id.*

10 Plaintiff has not shown he requires 40 extra pages to adequately argue the merits of his  
11 2<sup>nd</sup> Preliminary Injunction Motion. In a conclusory fashion, Plaintiff states his circumstances  
12 warrant leniency, but does not explain why. *See* Dkt. 118. He also states he just frantically writes  
13 so one thought can easily take up a whole page, even if the page adds little merit. *Id.* Plaintiff  
14 should not simply write his thoughts; he must concisely show the Court why he is entitled to the  
15 specific relief he requests. Plaintiff’s status as a *pro se* prisoner with limited knowledge in the  
16 law does not justify a 64 page motion for injunctive relief. The Court also notes Plaintiff has  
17 previously filed two motions for injunctive relief, which were denied, and continually files  
18 motions and responses with this Court which exceed the page limits allowed under the Local  
19 Rules. *See e.g.* Dkt. 10, 17, 74, 84, 95, 96, 103, 105, 128.

20 Accordingly, Plaintiff’s Motion is denied. The Court will not consider Plaintiff’s 2<sup>nd</sup>  
21 Preliminary Injunction Motion. The Clerk is directed to strike Plaintiff’s 2<sup>nd</sup> Preliminary  
22 Injunction Motion from the record. Plaintiff may file a motion for a preliminary injunction that is  
23 24 pages in length, including exhibits. The Court will not consider any pages beyond the 24  
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1 allowed. Plaintiff need not provide the Court with extra case law and should provide only the  
2 facts and allegations necessary to support his request for injunctive relief.

3 Dated this 17th day of November, 2016.

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6 David W. Christel  
7 United States Magistrate Judge  
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